

Volume IV

- **Information manual for the Environmental Resource Permit (ERP) program within the SFWMD**
- **There are six general parts to Volume IV**
 - **Pertinent Chapters of the Florida Administrative Code (F.A.C.)**
 - **Basis of Review for ERP Applications**
 - **Regulatory Topics**
 - **Design Aids**
 - **Design Examples**
 - **Post-Permit Activities**

Basis of Review - Section 1.0

- The objective of the permit process is to insure activities are not harmful to the water resources & are not inconsistent with the objectives of the District
- The objective of this document is to identify criteria & information used by the District to review permit applications

Permit Information Manual Volume IV - Environmental Resource

- Current Revision – February 2008
- How to get a copy
 - Download from District website
 - Purchase a CD (\$3.00)
 - Purchase a printed copy (\$35.00)
- To receive electronic notices of updates to Volume IV, sign up for eNoticing

Chapter 40E-4, 40E-40 F.A.C.

- **Permits Required and Thresholds**
- **Definitions**
- **Exemptions from Permitting**
- **Incorporation of Documents by Reference**
- **Content of Permit Applications**
- **Conditions for Issuance 40E-4.301 & 302**
- **Conceptual Approvals**
- **Duration of Permits**
- **Transfers and Conversion to Operation Phase**
- **General Conditions**

Individual vs General Permits

An Individual (Governing Board-issued) Environmental Resource Permit is applicable for any project, system, or activity which equals or exceeds any one of the following criteria:

- The surface water management system serves a project 100 acres or more in size.
- Construction or alteration is proposed in, on, or over a total of one acre or more of wetlands.
- More than nine boat slips are proposed.

Individual Permits

Up to 90 days to issue after complete; Governing Board meets 2nd Thursday of each month

Example:

- Complete Date: March 27, 2007
- Legal Board Date June 14, 2007

Individual Permits

- Staff Report mailed to consultants, owner & all interested parties prior to Board meeting (target 14 days prior) with Notice of Rights
- Staff Report also posted to Web site when mailed out
- Board meets and votes on staff recommendation
- Any petitions must be filed within 21 days of receipt of notice*
 - *Subject to verification
- Permit Issued to Owner/Permittee

Standard General Permits

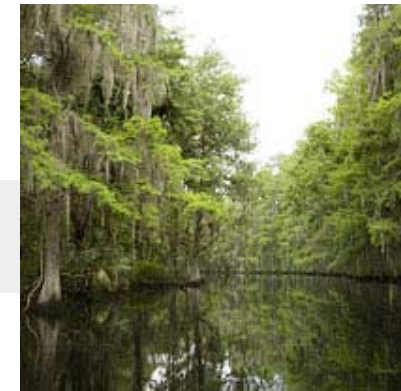
- Same level of information as Individual permits
- Must issue within 60 days of complete submittal
- Issued at staff level including at service centers
- Can be raised to Governing Board level due to heightened public concern
- Same Notice of Rights as Individual Permits

Notice of Recording of Permits

- A Notice of Permit is recorded in the public records of the county where the project is located for Individual and General Permits
- Notice of Permit does not encumber the title; it is simply a notice that a permit exists over a geographic area
- Notice of Permit does not include permit document

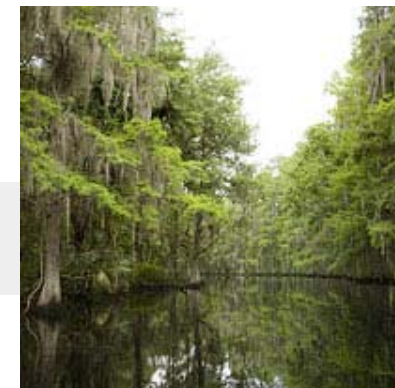


THE END





Questions?



**Conceptual
VS
Construction Permit**



Conceptual vs Construction Permit

Conceptual

- Requires Board Approval
- Requires Fee for Individual Project
- Requires all data to design project for construction.
- Requires conceptual layout of site.
- Is valid for 2 years from date of issuance or date specified in permit.

Construction

- Requires Board Approval
- Requires Fee for Individual Project
- Requires all data to design project for construction.
- Requires complete construction plans.
- Is valid for 5 years from date of issuance or date specified in permit.

Conceptual vs Construction Permit

Conceptual

- If an Individual or Standard General is applied for within 2 years, Conceptual remains valid until final action is taken. IF permit is granted Conceptual is valid for an additional two years.
- Conceptual expires automatically if no permits filed for in 2 year period.
- Substantial conceptual modification will also extend the duration 2 years.

Construction

- Substantial permit modifications will extend the duration 3 years.

Conceptual vs Construction Permit

Conceptual

- **Conceptual approval does not authorize any construction, alteration, operation, maintenance, removal or abandonment of a surface water management system.**

Construction

- **Individual permit approval allows for construction of the site as approved by the District Board subject to conditions.**

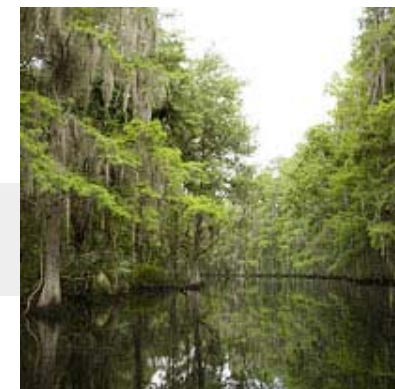
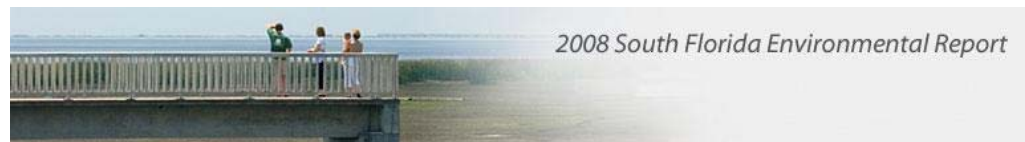
Conceptual vs Construction Permit

Phases within a conceptually approved project shall be processed as standard general permits provided:

- **The proposed activity is consistent with the conceptual approval permit.**
- **The approved conceptual plan includes the location and acreage of wetlands onsite, an assessment of wetland impacts, and a conceptual mitigation plan (if required); and**
- **The approved conceptual plan includes the approximate size, location and discharge points of the proposed stormwater management system.**

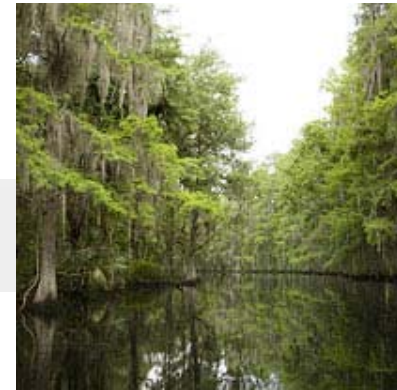


THE END





Questions?



Chapter 40E-4.051 F.A.C. Exemptions from Permitting

- **(1) Pipes or Culverts.** The repair or replacement of existing functional pipes or culverts
- **(2) Maintenance of Systems.**
- **(3) Docking Facilities and Boat Ramps.**
- **(4) Shore Stabilization.**
- **(5) Transmission and Distribution Lines and Utility Poles.**
- **(6) Bridges, Driveways and Roadway Crossings.**
- **(7) Aids to Navigation.**

Chapter 40E-4.051 F.A.C. Exemptions from Permitting

- **(8) Construction of Freshwater Fish Attractors.**
- **(9) Installation of Piling Support Structures Associated With Water Testing or Monitoring Equipment by the Department or the District.**
- **(10) Agriculture, silviculture, floriculture, and horticulture as specified in Section 373.406(2) and (3), F.S.,**
- **(11) Minor Roadway Safety Projects.**
- **(12) Recreational Paths.**

Recent Rule Changes

September 2007– Updates and changes to 40E-4.051 Exemptions

- (11) Minor Roadway Safety Projects
 - Capacity of existing swales, ditches, or other stormwater management systems is not reduced, not in wetlands or OSW, BMPs to prevent impacts
 - Sidewalks
 - Turn lanes less than 0.25 miles in length and other intersection improvements
 - Road widening and shoulder paving projects which do not result in the creation of additional traffic lanes

Recent Rule Changes (continued)

September 2007– Updates and changes to 40E-4.051 Exemptions

■ (12) Recreational Paths

- Not located within wetlands or other surface waters
- BMP's during construction
- Width: 8 feet or less for unidirectional, 12 feet or less for bidirectional
- No motorized vehicles

40E-4.054 Modification of Exempt Projects.

- **In order to modify a project which was exempt from permitting under this chapter, an environmental resource permit must be obtained, unless the proposed modification of the surface water management system qualifies for an exemption pursuant to Rule 40E-4.051, F.A.C.**

QUESTIONS?



Chapter 40E-400 No Notice and Noticed General Environmental Resource Permits

■ No Notice General Permits

- Must meet the specific criteria of either Section 40E-400.315 or Section 40E-400.316
- No permit application or other documents or fees are required to be submitted.

40E-400.315 No Notice General Permit for Activities in Uplands.

A no notice general permit is hereby granted for the construction or alteration of minor systems located entirely within uplands, provided that the proposed system meets all of the following criteria:

- The total project area is less than 10 acres;
- The total project area involves less than 2 acres of impervious surface;
- No activities will impact wetlands or other surface waters;
- No activities are conducted in, on, or over wetlands or other surface waters;
- and which meet other criteria listed in Section 40E-400.315, are permitted by this rule, subject to conditions.

40E-400.316 No Notice General Permit for Road Grading and Pavement Resurfacing.

A no notice general permit is hereby granted for road grading which involves no change in existing road surface elevation and pavement resurfacing of existing roads, provided all of the following criteria is met:

- The activity is carried out solely in uplands; and
- Road grading does not result in the impoundment or interruption of surface waters into wetlands.
- subject to conditions.

Chapter 40E-400 No Notice and Noticed General Environmental Resource Permits

■ Notice General Permits

- The activities which may qualify for a Notice General Environmental Resource Permit are listed in Subpart C of this Rule Chapter
- To apply for a noticed general permit under this rule, the applicant must submit one of the following three properly completed forms, any corresponding required supporting items, and the appropriate fee:

Application for Noticed General Environmental Resource Permits

- **Notice of Intent to Construct a Minor Silvicultural System, Form 0974.**
- **Notice of Intent to Use a Noticed General Environmental Resource Permit, Form 0980.**
- **Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit, Form 0971.**

Subpart C

- **40E-400.417 General Permit for Construction, Alteration or Maintenance of Boat Ramps and Associated Accessory Docks.**
- **40E-400.427 General Permit for Certain Piers and Associated Structures.**
- **40E-400.431 General Permit for Installation of Riprap.**
- **40E-400.437 General Permit for the Installation of Fences.**
- **40E-400.439 General Permit for the Construction or Maintenance of Culverted Driveways or Roadway Crossings and Bridges of Artificial Waterways.**
- **40E-400.443 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation.**

Subpart C

- **40E-400.447 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Activities Within Existing FDOT Rights-of-Way or Easements.**
- **40E-400.453 General Permit for the Installation, Maintenance, Repair or Removal of Underground Cables, Conduits, or Pipelines.**
- **40E-400.455 General Permit for the Construction of Aerial Pipeline, Cable, or Conduit Crossings of Certain Waters.**
- **40E-400.457 General Permit for Subaqueous Utility Crossings of Artificial Waterways.**
- **40E-400.463 General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies.**

Subpart C

- **40E-400.470 Noticed General Permit for Temporary Agricultural Activities.**
- **40E-400.475 General Permit for Minor Activities.**
- **40E-400.483 General Permit to the Department to Conduct Minor Activities.**
- **40E-400.485 General Permit to the Department for Environmental Restoration or Enhancement Activities.**
- **40E-400.487 General Permit to the Department to Change Operating Schedules for Department or District Water Control Structures.**
- **40E-400.495 General Permit to U.S. Forest Service for Minor Works within National Forests.**
- **40E-400.500 General Permit for Construction, Operation, Maintenance, Alteration, Removal or Abandonment of Minor Silvicultural Surface Water Management Systems.**
- **40E-400.900 Forms and Instructions.**

District Review Timelines

- **The District has 30 days to review.**
- **If the District does not notify in 30 days the applicant may conduct the proposed activities, subject to conditions.**

District Review Timelines

- **During the 30-day period, if the District determines that the proposed activities do not qualify for a noticed general permit, and so notifies the applicant, the activities shall not be conducted until the proper authorizations (that is, an individual or a standard general environmental resource permit) have been obtained.**



Noticed General Permit Application For A DockWhat We Need

■ SFWMD Form 0971

ACOE Application #		FOR AGENCY USE ONLY		SFWMD Application #	
Date Application Received		Date Application Received		Date Application Received	
Proposed Project LA	N O	Proposed Project LA	N O	Proposed Project LA	N O
Proposed Project Long	N O	Proposed Project Long	N O	Proposed Project Long	N O
				Fee Received	

SECTION A

Are any of the activities described in this application proposed to occur in, on, or over wetlands or other surface waters?
☐ yes ☐ no
 Is this application being filed by or on behalf of a government entity or drainage district?
☐ yes ☐ no

A. Type of Environmental Resource Permit Requested (check at least one)

☐ Notified General - include information requested in Section B.
☐ Standard General (Single Family Dwelling)-include information requested in Sections C and D.
☐ Standard General (all other projects) - include information requested in Sections C and E.
☐ Individual (Single Family Dwelling) - include information requested in Sections C and D.
☐ Individual (all other projects) - include information requested in Sections C and E.
☐ Conceptual - include information requested in Sections C and E.
☐ Mitigation Bank Permit (construction) - include information requested in Section C and F.
 (If the proposed mitigation bank involves the construction of a surface water management system requiring another permit defined above, check the appropriate box and submit the information requested by the applicable section.)
☐ Mitigation Bank (conceptual) - include information requested in Section C and F.

B. Type of activity for which you are applying (check at least one)

☐ Construction or operation of a new system including dredging or filling in, on or over wetlands and other surface waters.
☐ Alteration or operation of an existing system which was not previously permitted by a WMD or DEP.
☐ Modification of a system previously permitted by a WMD or DEP. Provide previous permit number: _____
☐ Alteration of a system ☐ Extension of permit duration ☐ Abandonment of a system
☐ Construction of additional phases of a system ☐ Removal of a system

C. Are you requesting authorization to use State Owned Lands? ☐ yes ☐ no
 (If yes include the information requested in Section G.)

D. For activities in, on or over wetlands or other surface waters, check type of federal dredge and fill permit requested:
☐ Individual ☐ Programmatic General
☐ General ☐ Nationwide ☐ Not Applicable

E. Are you claiming to qualify for an exemption? ☐ yes ☐ no
 If yes provide rule number if known: _____

SECTION B

INFORMATION FOR NOTICED GENERAL ENVIRONMENTAL RESOURCE PERMITS

INSTRUCTIONS: To qualify for a Noticed General Permit (NGP) for specific activities, the project must comply with all of the terms, conditions, requirements, limitations and restrictions applicable to the desired NGP. A summary of the types of NGPs available is contained in Attachment 1. Carefully review the rule section of the NGP for which you are applying to ensure that your project meets the requirements of that NGP. PLEASE PROVIDE THE INFORMATION REQUESTED BELOW ON PAPER NO LARGER THAN 8 1/2" x 11".

- Indicate the project boundaries on a USGS quad map, reduced or enlarged as necessary to legibly show the entire project. If not apparent from the quad map, provide a location map (in sufficient detail to allow a person unfamiliar with the site to find it), containing a north arrow and a graphic scale and showing the boundary of the proposed activity and Section(s), Township(s), and Range(s).
- A legible site plan showing the following features:
 - property boundaries and dimensions
 - name and location of any adjoining public streets or roads
 - location and dimensions of all existing structures
 - label all impervious and pervious area and indicate their size (area)
 - please provide arrows indicating the direction of drainage from the proposed improvements
 - locations of all proposed works
 - permanent and temporary erosion, sedimentation and turbidity controls
 - boundaries of wetlands and other surface waters, identifying open water areas
 - boundary area and volume of all temporary and permanent earthwork, including pre and post construction grades
- Description of wetland or aquatic habitat.
- Construction methods and schedule.
- Additional information that would show that you qualify for the general permit, addressing all the parameters, thresholds and conditions required in the general permit. Errors and omissions will be identified within 30 days by the processing agency.
- Provide the rule section number of the NGP for which you are applying.

SECTION C

Environmental Resource Permit Notice of Receipt of Application

This information is required in addition to that required in other sections of the application. Please submit five copies of this notice of receipt of application and all attachments with the other required information. PLEASE SUBMIT ALL INFORMATION ON PAPER NO LARGER THAN 8 1/2" x 11".

Project Name: _____
 County: _____
 Owner: _____
 Applicant: _____
 Applicant's Address: _____

- Indicate the project boundaries on a USGS quadrangle map. Attach a location map showing the boundary of the proposed activity. The map should also contain a north arrow and a graphic scale, show Section(s), Township(s), and Range(s); and must be of sufficient detail to allow a person unfamiliar with the site to find it.
- Provide the names of all wetlands, or other surface waters that would be dredged, filled, impounded, diverted, drained, or would receive discharge (either directly or indirectly), or would otherwise be impacted by the proposed activity, and specify if they are in an Outstanding Florida Water or Aquatic Preserve.
- Attach a description (plan and section views), which clearly shows the works or other facilities proposed to be constructed. Use multiple sheets, if necessary. Use a scale sufficient to show the location and type of works.
- Briefly describe the proposed project (such as "construct a deck with boatshelter", "replace two existing culverts", "construct surface water management systems to serve 150 acre residential development").
- Specify the acreage of wetlands or other surface waters, if any, that are proposed to be disturbed, filled, excavated, or otherwise impacted by the proposed activity.
- Provide a brief statement describing any proposed mitigation for impacts to wetlands and other surface waters (attach additional sheets if necessary).

FOR AGENCY USE ONLY	
Application Name	
Application Number	
Office where the application can be tracked	

Form 0971 (08/2007)

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Form 0971 (08/2007)

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Form 0971 (08/2007)

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Sections A, B & C



SFWMD Form 0971

Table 4: IF YOU ARE CONSTRUCTING A DOCKING FACILITY, PLEASE PROVIDE THE FOLLOWING

Structures	Type of Work*	Length**	Width**	Height**	Total Sq. ft. over water	# Proposed Slips	# Existing Slips
Docks/Piers/Number:							
Finger Piers/Number:							
Other Water Structures:							
Total: _____							

*Type of Work: N-New R-Replaced O-Other RR-Removed A-Altered/Modified
**In Feet.

Use of Structure: _____

Will the docking facility provide:

Livaboard Slips? If yes, Number: _____

Fueling Facilities: If yes, Number: _____

Sewage Pump-out Facilities? If yes, Number: _____

Other Supplies or Services Required for Boating (excluding refreshments, bait and tackle) ☐ Yes ☐ No

Type of Materials for Docking and Pilings (i.e., CCA, pressure treated wood, plastic, or concrete)

Pilings: _____

Docking: _____

Proposed Dock Plank Spacing (if applicable): _____

Proposed Size (length and draft), Type, and Number of Boats Expected to Use or Proposed to be Mooring at the facility: _____

Form 0971 (08/2007)

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Table 5: SHORELINE STABILIZATION IF YOU ARE CONSTRUCTING A SHORELINE STABILIZATION PROJECT, PLEASE PROVIDE THE FOLLOWING:

Stabilization					H: V:	
Vertical Seawall						
Seawall + Rip Rap						
Rip Rap						
Rip Rap + Vegetation						
Other Shoreline Stabilization Type						

Size of Rip Rap: _____

Type of Rip Rap: _____

Form 0971 (08/2007)

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Tables 4 and 5 (if applicable)



SFWMD Form 0971

SECTION G

Application for Authorization to use State Owned Submerged Lands

Part I:

Sovereign Submerged Lands title (ownership) information: Please read and answer the applicable questions listed below:

- A. I have a sovereign submerged lands title check from the Division of State Lands which indicates that the proposed project is NOT ON sovereign submerged lands (Please attach a copy of the title determination to the application).
Yes ☐ No ☐

If you answered Yes to Question A and you have attached a copy of the Division of State Lands Title Check to this application, you do not have to answer any other questions under Part I or II of Supplement B.

- B. I have a sovereign submerged lands title check from the Division of State Lands which indicates that the proposed project is ON sovereign submerged lands (Please attach a copy of the title determination to the application).
Yes ☐ No ☐

If you answered yes to question B please provide the information requested in Part II. Your application will be deemed incomplete until the requested information is submitted.

- C. I am not sure if the proposed project is on sovereign submerged lands.
Please check here ☐

If you have checked this box department staff will request that the Division of State Lands conduct a title check. If the title check indicates that the proposed project or portions of the project are located on sovereign submerged lands you will be required to submit the information requested in Part II of this application. The application will be deemed incomplete until the requested information is submitted.

- D. I am not sure if the proposed project is on sovereign submerged lands and I DO NOT WISH to contest the department's findings. Please check here ☐

If you have checked this box refer to Part II of this application and provide the requested information. The application will be deemed incomplete until the requested information is submitted.

- E. It is my position that the proposed project is NOT on sovereign submerged lands. Please check here ☐

If you have evidence that indicates that the proposed project is not on sovereign submerged lands please attach the documentation to the application. If the Division of State Lands title check indicates that your proposed project or portion of your proposed project are on sovereign submerged lands you will be required to provide the information requested in Part II of this application.

- F. If you wish to contest the findings of the title determination conducted by the Division of State Lands please contact the Department of Environmental Protection's General Council office. Your proposed project will be deemed incomplete until either the information requested in Part II is submitted or a legal ruling indicates that the proposed project is not on sovereign submerged lands.

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Part II:

If you were referred to this section by Part I, please provide this additional information. Please note that if your proposed project is on sovereign submerged lands and the below requested information is not provided, your application will be considered incomplete.

- A. Provide evidence of title to the subject riparian upland property in the form of the recorded deed, title insurance, legal opinion of title, or a long-term lease which specifically includes riparian rights. Evidence submitted must demonstrate that the applicant has sufficient title interest in the riparian upland property. _____

- B. Provide a detailed statement describing the existing and proposed upland uses and activities. For commercial uses, indicate the specific type of activity, such as marina, ship repair, dry storage (including the number of storage spaces), commercial fishing/ seafood processing, fish camp, hotel, motel resort restaurant, office complex, manufacturing operation, etc. _____

For rental operations, such as trailer or recreational vehicle parks and apartment complexes, indicate the number of wetstep units/spaces available for rent or lease and describe operational details (e.g., are spaces rented on a month to month basis or through annual leases). _____

For multi-family residential developments, such as condominiums, townhomes, or subdivisions, provide the number of living units/ lots and indicate whether or not the common property (including the riparian upland property) is or will be under the control of a homeowners association. _____

For projects sponsored by a local government, indicate whether or not the facilities will be open to the general public. Provide a breakdown of any fees that will be assessed, and indicate whether or not such fees will generate revenue or will simply cover costs associated with maintaining the facilities. _____

- C. Provide a detailed statement describing the existing and proposed activities located on or over the sovereign submerged lands at the project site. This statement must include a description of docks and piers, types of vessels (e.g., commercial fishing, levelboards, cruise ships, tour boats), length and draft of vessels, sewage pumpout facilities, fueling facilities, boat hoists, boat ramps, travel lifts, railways, and any other structures or activities existing or proposed to be located waterward of the mean high water line/ ordinary high water line. If slips are existing and/or proposed, please indicate the number of powerboat slips and sailboat slips and the percentage of those slips available to the general public on a "first come, first serve" basis. This statement must include a description of channels, borrow sites, bridges, groins, jetties, pipelines or other utility crossings, and any other structures or activities existing or proposed to be located waterward of the mean high water line/ ordinary high water line. For shoreline stabilization activities, this statement must include a description of seawalls, bulkheads, riprap, filling activities, and any other structures or activities existing or proposed to be located along the shoreline. _____

- D. Provide the linear footage of shoreline at the mean high water line/ ordinary high water line owned by the applicant which borders sovereign submerged lands. _____

- E. Provide a recent aerial photo of the area. A scale of 1" = 200' is preferred. Photos are generally available at minimal cost from your local government property appraiser's office or from district Department of Transportation offices. Indicate on the photo the specific location of your property/ project site. _____

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Form 0971 (08/2007)

Proprietary Project Descriptions

Please check the most applicable activity which applies to your project(s):

Activity Description

Leases

- ☐ Commercial marinas (renting wetsteps/including condos, etc., if 50% or more of their wetsteps are available to the general public)
☐ Public/Local governments
☐ Yacht Clubs/Country Clubs (when a membership is required)
☐ Multi-family/gd upland revenue generating (housing developments, trailer parks, apartments)
☐ Condominiums (requires upland ownership)
☐ Commercial Uplands Activity (Temporary Docking and/or fishing pier associated with upland revenue generating activities (i.e., restaurants, hotels, motels) for use of the customer at no charge)
☐ Miscellaneous Commercial Upland Enterprises where there is a charge associated with the use of the overwater structure (Charter boats, Tour boats, Fishing Piers)
☐ Ship Building/Boat Repair Service Facilities
☐ Commercial Fishing Related (Offloading, Seafood Processing)
☐ Private Single family Residential Docking Facilities; Townhome Docking Facilities; Subdivision Docking Facilities (upland lots privately owned)

Public Easements & Use Agreements

- ☐ Miscellaneous Public Easements and Use Agreements
☐ Bridge Right-of-way (DOT, local government)
☐ Breakwater or Groin
☐ Subaqueous Utility Cable (TV, telephone, electrical)
☐ Subaqueous Outfall or Intake
☐ Subaqueous Utility Water/Sewer
☐ Overhead Utility w/Support Structure on sovereign submerged lands
☐ Spoil Site
☐ Pipeline (gas)
☐ Borrow Site

Private Easements

- ☐ Miscellaneous Private Easements
☐ Bridge Right-of-way
☐ Breakwater or Groin
☐ Subaqueous Utility Cable (TV, telephone, electrical)
☐ Subaqueous Outfall or Intake
☐ Subaqueous Utility Water/Sewer
☐ Overhead Utility Crossing
☐ Spoil Site
☐ Pipeline (gas)

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Form 0971 (08/2007)

Section G: Application for Authorization to use State Owned Submerged Lands.....



■ SFWMD Form 0971

04/21/2008 9:17:28

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
TITLE AND LAND RECORDS SECTION
BOARD OF TRUSTEES LAND DATABASE SYSTEM
WORKSHEET SHORT FORM (FOR INTERNAL DEP USE ONLY)

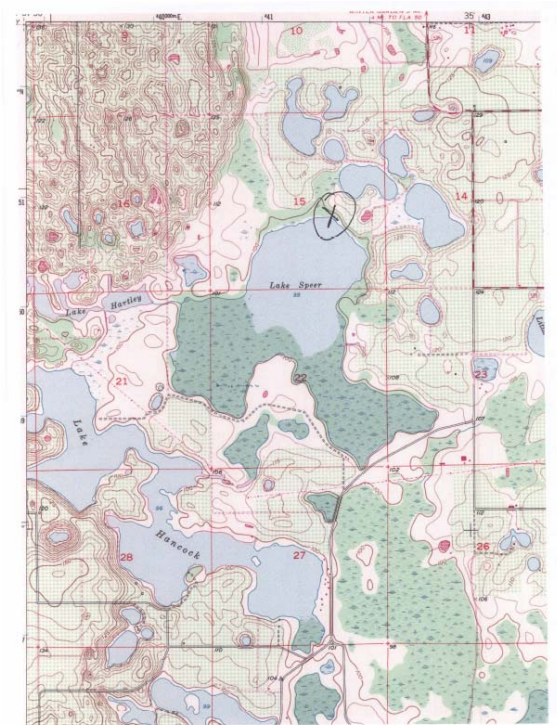
Page 1 of 1
WSMPT02

FILE NUMBER: 080325-18
WORKSHEET ID: 75965
COUNTY: ORANGE
APPLICANT: BOWEN ZARN
COMPANY:
SITE: PARCEL 15-23-27-1540-00-930; 14198 BRIDGEWATER CROSSING; 574 ACRE LAKE
TYPE OF ACTIVITY: PLATFORM AND BOARDWALK
PROJECT LOCATION: SECTION 15 TOWNSHIP 23S RANGE 27E
AQUATIC PRESERVE: N/A
WATER BODY: LAKE SPEER

COMMENTS: RECORDS ON FILE WITHIN THE TITLE AND LAND RECORDS SECTION INDICATE THAT THE STATE HOLDS TITLE TO THE LANDS BELOW THE OHWL OF LAKE SPEER AT THE SUBJECT SITE.
TO ERIC DEPHOUSE @ SFWMD ORLANDO SERVICE CENTER
DW 4/21/08

PREPARED: DONELLE WHITE
DATE PREPARED: 04/21/2008

NOTICE: THE CONCLUSIONS AND DETERMINATIONS SET FORTH IN THIS TITLE WORKSHEET ARE BASED ON A REVIEW OF THE RECORDS CURRENTLY AVAILABLE WITHIN THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AS SUPPLEMENTED, IN SOME CASES, BY INFORMATION FURNISHED BY THE REQUESTING PARTY. SINCE THE ACCURACY AND COMPLETENESS OF THE TITLE INFORMATION REVIEWED MAY VARY, THE CONCLUSIONS AND DETERMINATIONS SET FORTH HEREIN DO NOT CONSTITUTE A LEGAL OPINION OF TITLE AND SHOULD NOT BE RELIED ON AS SUCH.



■ Title Determination

Warranty Deed

THIS INSTRUMENT PREPARED BY AND RETURN TO:

RYLAND GROUP INC.
2705 S. Maguire Road
Orlando, Florida 32741

Document Identification (Folio) Numbers: 04-23-28-7490-0010013
LAST PAGE



INSTR 20040034536
OR BK 07/27/2 P0 2827
MARtha D. HAYTIE, COMPTROLLER
ORANGE COUNTY, FL
81/08/2004 04:15:58 PM
REC FEE \$4.00
LAST PAGE

Sign Above This Line For Recording Date

THIS WARRANTY DEED, made the 16th day of January, 2004 by John D. Stevens and Cheryl Stevens, his wife, hereto signed by the grantors, whose office address is 2705 S. Maguire Road, Orlando, Florida 32741, to Paul L. Roberts and Marie E. Roberts, husband and wife, whose post office address is 1715 Roberts Landing Road, Wintermere, Florida 34786, hereinafter called the Grantees.

(Wherever used herein the words "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees all that certain land situate in Orange County, State of Florida, viz:

Lot 29, ROBERTS LANDING, according to the plat thereof, as recorded in Plat Book 10, Page 89, Public Records of Orange County, Florida.

Subject to easements, restrictions and reservations of record and to taxes for the year 2003 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantors hereby covenant with and warrant that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness #1 Signature: John D. Stevens
Witness #1 Printed Name: John D. Stevens

Witness #2 Signature: Cheryl Stevens
Witness #2 Printed Name: Cheryl Stevens

Witness #3 Signature: Marie E. Roberts
Witness #3 Printed Name: Marie E. Roberts

Witness #4 Signature: Paul L. Roberts
Witness #4 Printed Name: Paul L. Roberts

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 16th day of January, 2004 by John D. Stevens and Cheryl Stevens, his wife, who are personally known to me or have produced satisfactory evidence of their identities.

SEAL
Notary Public
My Commission Expires: 12/31/2006

My Commission Expires: 12/31/2006

ORIGINAL SUBMITTAL
APR 07 2008
ORLANDO SERVICE CENTER

File No: 04031004

JUL 10 2007

OR BK 08/760 PG 0000 PGS=1
MARtha D. HAYTIE, COMPTROLLER
ORANGE COUNTY, FL
07/19/2006 10:06:13Z AM
REC FEE \$4.00
LAST PAGE

Prepared By/Return To:
Orlando Service Center
1000 Lakeshore Drive, Suite 1000
Orlando, Florida 32811
Property Appraiser's Parcel ID: 19-23-28-7391-0000

ORLANDO SERVICE CENTER

Sign Above This Line For Recording Date

WARRANTY DEED (STATUTORY FORM - SECTION 689.02, F.S.)

THIS WARRANTY DEED, made this 26th day of June, 2006, by THE SIGNATURE COLLECTION BY JONES-CLAYTON CONSTRUCTION, LLC, a Florida limited liability company, whose address is 833 N. Magnolia Avenue, Orlando, Florida 32803 (hereinafter referred to as the "Grantor") to NICHOLAS J. LAMORIELLO and PAULA A. LAMORIELLO, husband and wife, whose address is 11081 Cocoon Way, Wintermere, Florida 34786 (hereinafter referred to as the "Grantees").

(Wherever used herein the words "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantees, all that certain land situate in Orange County, Florida, to wit:

Lot 9, of RESERVE AT LAKE BUTLER SOUND, according to the Plat thereof, recorded in Plat Book 54, Pages 128 through 134, inclusive, of the Public Records of Orange County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2005, and subject to easements, conditions, covenants of record, if any; however, reference herein does not operate to mitigate same.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, Sealed and Delivered
In Our Presence:

THE SIGNATURE COLLECTION BY JONES-CLAYTON CONSTRUCTION, LLC, a Florida limited liability company

Witness: John D. Stevens
Print Name: John D. Stevens

Witness: Cheryl Stevens
Print Name: Cheryl Stevens

Witness: Marie E. Roberts
Print Name: Marie E. Roberts

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 26th day of June, 2006, by Paul J. Jones, President of JONES-CLAYTON CONSTRUCTION, INC., a Florida corporation, as Manager of THE SIGNATURE COLLECTION BY JONES-CLAYTON CONSTRUCTION, LLC, a Florida limited liability company, who are personally known to me or who have produced satisfactory evidence of their identities.

SEAL
Notary Public
My Commission Expires: 12/31/2006

My Commission Expires: 12/31/2006

ORIGINAL SUBMITTAL
APR 07 2008
ORLANDO SERVICE CENTER

File No: 04031004



INSTR 20070604622
OR BK 09/77 PG 0049 PGS=1
MARtha D. HAYTIE, COMPTROLLER
ORANGE COUNTY, FL
10/19/2007 12:16:07 PM
REC FEE \$4.00
LAST PAGE

Sign Above This Line For Recording Date

WARRANTY DEED

This Indenture made this 10/09/2007 BETWEEN THE RYLAND GROUP INC., a Maryland Corporation, having its principal place of business in the County of Orange, and State of Florida and lawfully authorized to transmit business in the State of Florida, Grantee, and BOWEN ZAHN and PATRICKA ZAHN, HUSBAND AND WIFE, whose post office address is 1410N BRIDGEWATER CROSSINGS BL., Wintermere, FL 34786, Grantee.

WITNESSETH: That said Grantee, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantor, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantees and grantees' heirs forever the following described land located in the County of ORANGE, State of FLORIDA, to-wit:

Lot 93, of EDEEN'S HAMMOCK, according to the plat thereof, as recorded in Plat Book 62, at Page(s) 134 through 143, inclusive, of the Public Records of Orange County, Florida.

Subject to restrictions, reservations, easements and encumbrances of record, if any, provided that this shall not serve to impair same, existing conditions, and taxes for the current year and subsequent years.

Said Grantee does hereby fully warrant the title to said land, and will defend that same against the lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural as context requires.

Tax Parcel Number: 15-23-27-1540-0000

Grantee's Tax ID #: _____

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signature: Laura K. Petersen
LAURA K. PETERSEN

STATE OF FLORIDA COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 10/09/2007 by STEVEN CERVINO, ASSISTANT VICE-PRESIDENT of THE RYLAND GROUP, on behalf of the corporation. He is personally known to me or he produced a driver's license or an identification.

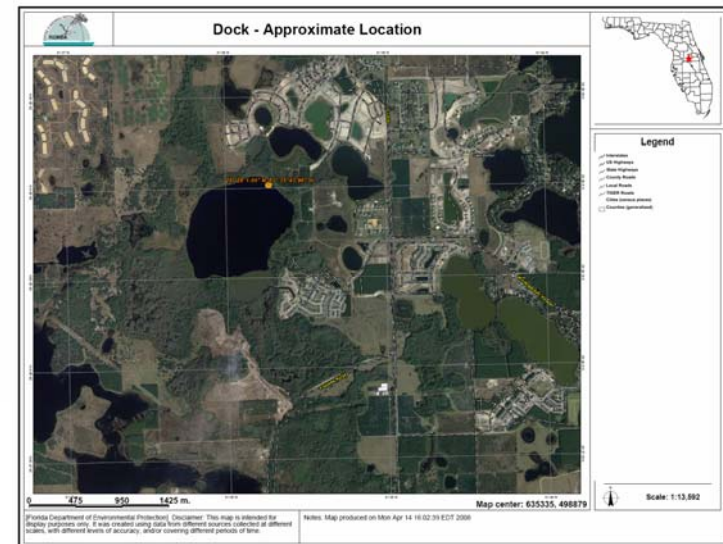
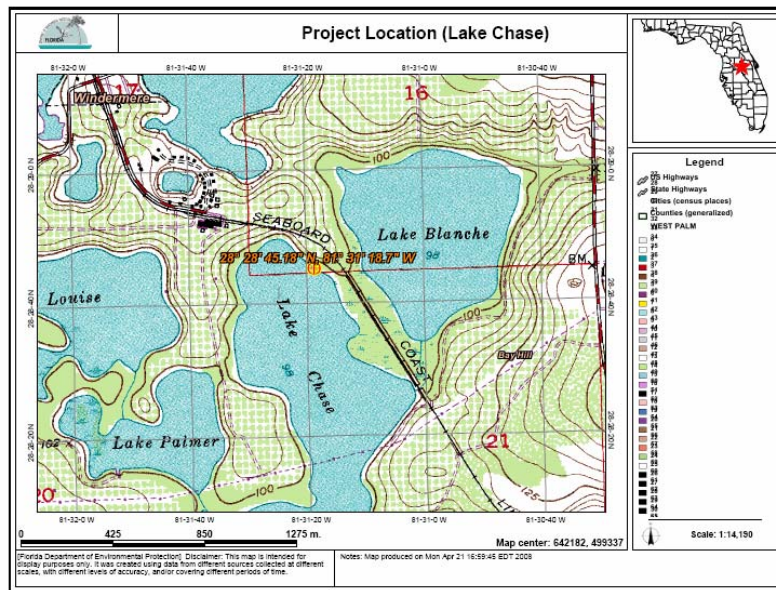
WITNESS my hand and official seal in the County and State last aforesaid.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 12/31/2006

CTC FILE # 0001063-222
Prepared by and Return to: Lisa Ous
RYLAND TITLE COMPANY
4700 Millenia Blvd., Suite 400
Orlando, FL 32839

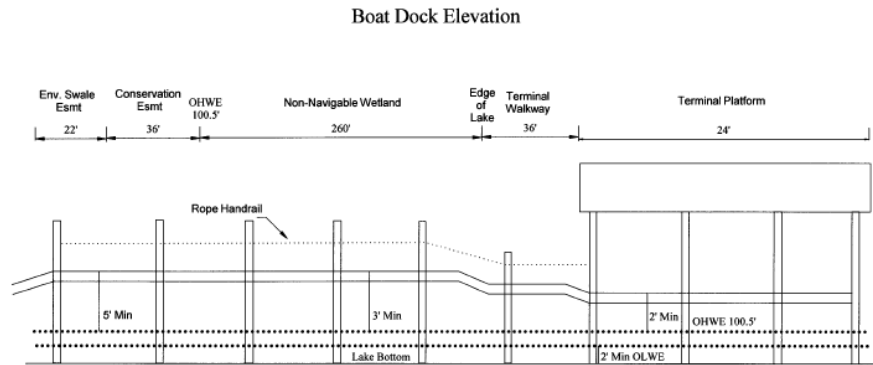
Book9477/Page2649 CFNR20070694623 Page 1 of 1

■ Location Map





■ Drawings

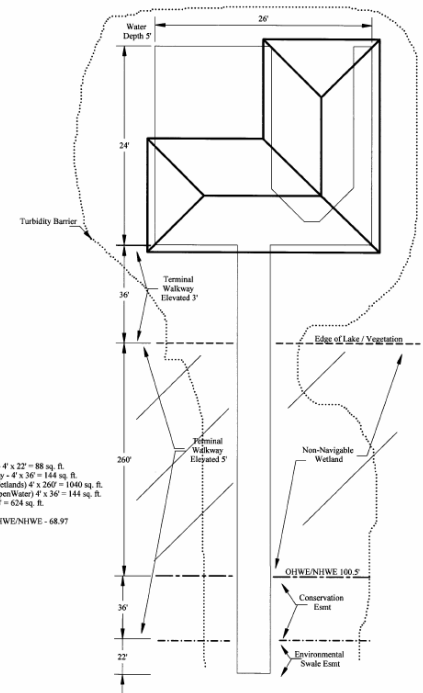


Plan View



Lake Speer

Calculations
Env. Swale Esmt Walkway - 4' x 22' = 88 sq. ft.
Conservation Esmt Walkway - 4' x 36' = 144 sq. ft.
Terminal Walkway (Over Wetlands) 4' x 260' = 1040 sq. ft.
Terminal Walkway (Over Open Water) 4' x 36' = 144 sq. ft.
Terminal Platform - 24' x 26' = 624 sq. ft.
Total Linear Shoreline at OHWE/NHWE - 68.97'





■ Fee: \$100

Individual modification all others, except Agriculture

Project area less than 100 acres	\$ 3,500
Project area 100 acres to less than 640 acres	\$ 5,000
Project area greater than or equal to 640 acres	\$ 7,500

New Standard General Permit (excluding incidental site activities)

Agriculture	\$ 650
All others	\$ 2,000

Standard General Permit Modification (excluding incidental site activities)

Agriculture	\$ 500
All others	\$ 1,000

Standard General Permit for Incidental Site Activities (Early Work)

	\$ 500
--	--------

Noticed General Permit (including Aquaculture)

	\$ 100
--	--------

Single Family Residential Homesite (less than or equal to 10 acres total land area)

	\$ 100
--	--------

Transfer of Permit (ownership)

	\$ 450
--	--------

Letter Modification Requests

	\$ 100
--	--------

Individual or Standard General Permit (solely for environmental restoration or enhancement activities, not mitigation)

	\$ 100
--	--------

New Individual Mitigation Bank

Project area less than 100 acres	\$ 5,000
Project area 100 acres to less than 640 acres	\$ 7,500

ENVIRONMENTAL, LLC 1647

PAY TO THE ORDER OF SFWMD DATE 2/5/07 62-13831531 02

One hundred dollars and 00/100 \$ 100.00 DOLLARS

BankFIRST
13207 West Colonial Drive
Winter Garden, FL 34787
407-560-6798

FOR [Signature] [Signature]





- **Submit for Noticed General Permit through ePermitting**



Start Here



Login



Create Account



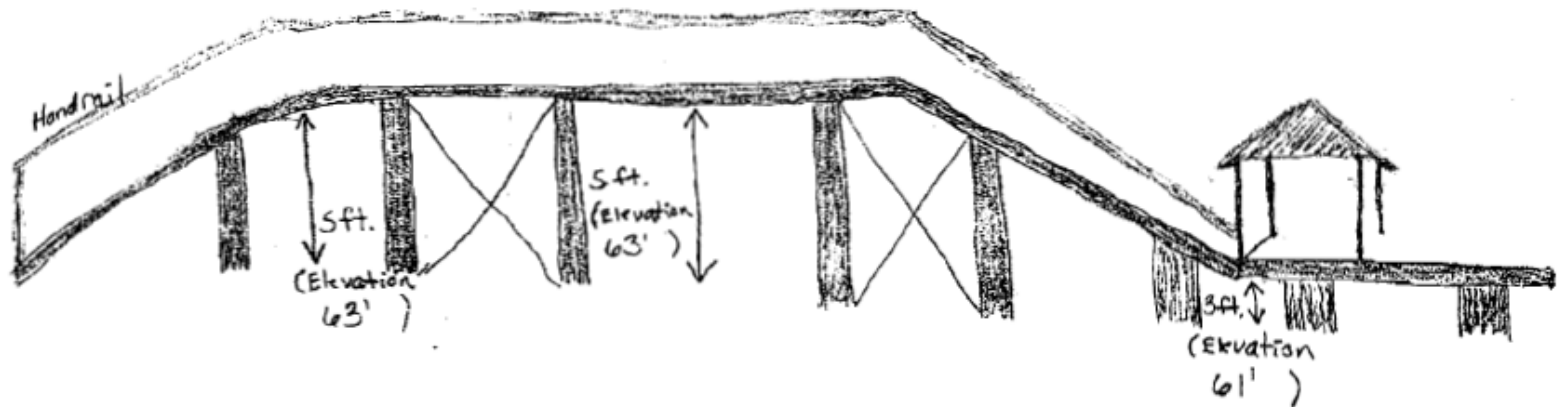
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Getting Started with ePermitting



Common Problems

- Poor drawings
- Poor drawings = delays





Common Problems (continued)

- Title issues
- Example: BTIITF Deed

WATER BODY: LAKE HART

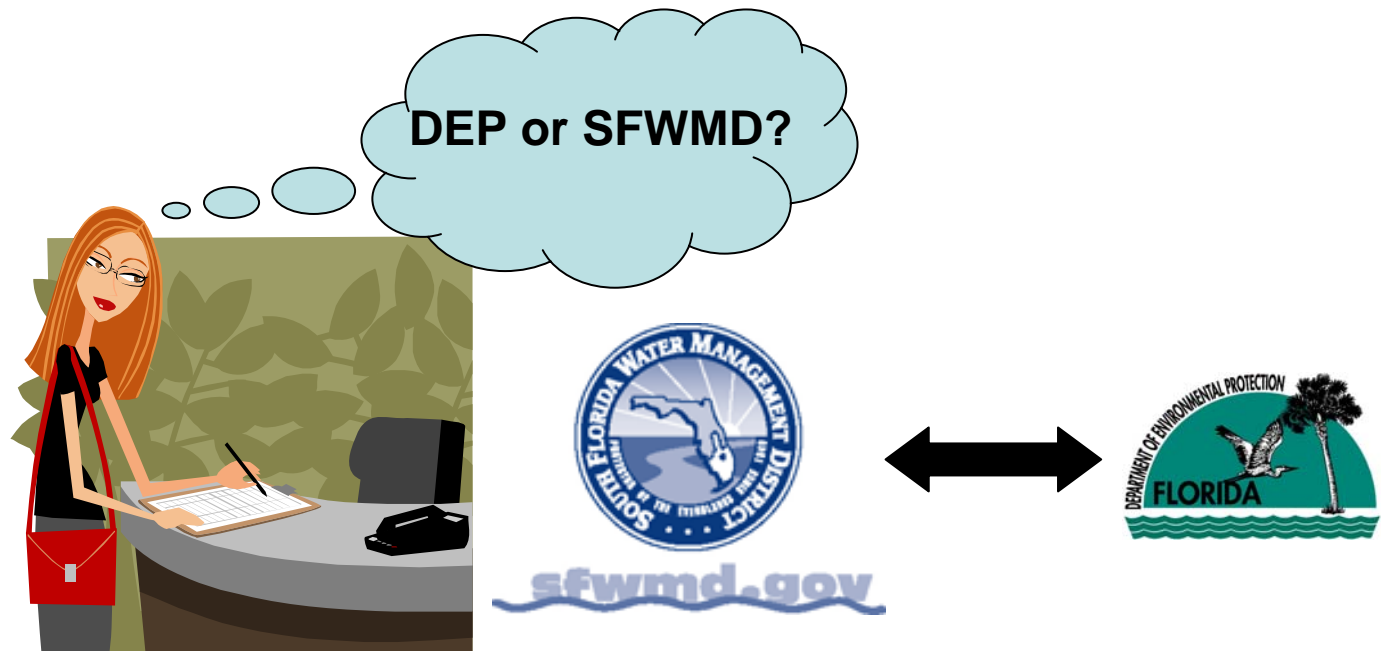
COMMENTS: RECORDS ON FILE WITHIN THE TITLE AND LAND RECORDS SECTION INDICATE THAT THE STATE HOLDS TITLE TO THE LANDS BELOW THE OHWL OF LAKE HART OUTSIDE THE BOUNDARIES OF THE LANDS CONVEYED IN DEED 22569.

TO ERIC @ SFWMD ORLANDO SERVICE CENTER
DW 6/11/07



Common Problems (continued)

- **DEP or SFWMD?**



DEP or SFWMD? I'll just call those great environmental folks at the SFWMD Orlando Service Center to figure out where this NGP application needs to be sent!

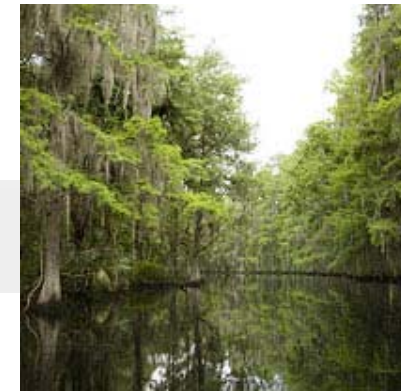


Summary

- **Noticed General Permits are for projects which are generally limited in their size and scope.**
- **All application materials – Good drawings, no title issues.**
- **Shared responsibility for the permitting of docks between DEP and SFWMD.**



THE END





Questions?

